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ABSTRACT

This report notes that with a Republican majority in the 106th Congress and a Democratic administration, little new legislation was passed, but funding for Indian education programs did better than at any time in the recent past. Funding highlights include: no funding for school renovation grants to public schools with high concentrations of American Indian students or for a bonding proposal in the Bureau of Indian Affairs (BIA); a failure to reopen the National Advisory Council on Indian Education; reduced funding for vocational and adult education grants, some of which are dedicated to American Indians; continuation of the American Indian Teacher Corps; maintenance of a tribally controlled postsecondary vocational and technical institutions program and Alaska Native education equity programs; establishment of a new American Indian Administrator Corps; funding for federal research on Indian education; a new dual-degree program for minority-serving institutions of higher education; increased funding for Office of Indian Education (OIE) programs, tribally controlled colleges and universities, Bureau of Indian Affairs school operations, tribal priority allocation, special programs and pooled overhead, and BIA school construction and repair. Legislation passed included changes to the "477" program; a Native languages bill; and H.R. 2, which reauthorized Title I and other programs assisting low-achieving students. National Indian Education Association comments on H.R. 2 and proposed amendments to P.L.95-561 and P.L.100-297 are offered. A partial listing of other education/Indian-related legislation and Republican and Democratic platform statements regarding Native Americans is provided. Five tables depict preliminary funding for selected Indian and Department of Education programs, funding for OIE and BIA, and historical funding of OIE. (TD)

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NATIONAL INDIAN EDUCATION ASSOCIATION

31st ANNUAL CONVENTION

SIOUX FALLS, SOUTH DAKOTA

INDIAN EDUCATION LEGISLATIVE REPORT
106TH CONGRESS, SECOND SESSION

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NATIONAL INDIAN EDUCATION ASSOCIATION

31ST Annual Convention
October 28 - November 1, 2000

Indian Education Legislative Report
106th Congress, Second Session

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106th Congress Adjourns

As of this writing, the President had signed three continuing resolutions and was considering a fourth in order to keep the government operating before the completion of the second session of the 106th Congress. The 107th Congress convenes in mid January, 2001 with a new Administration and possibly a new majority. The immediate outlook for 2001 includes the completion of unfinished business from 2000 and education policy shifts, depending on who wins the White House. The Republican majority in the 106th Congress and a Democratic administration made little headway in passing new pieces of legislation in 1999 and 2000. Funding for education programs, however, did better than at any time in the recent past. While program funding was often cut during the appropriations process, much of the funding was restored during the final days of each session. If education in general, and Indian programs specifically, can maintain the level of federal support witnessed the last few years, we will begin to see a turn around in the low achievement levels that have continued to plague Indian students. Unlike other segments of the population, funding for Indian education programs is the defining factor that determines the extent to which Indian communities have access to quality education programs.

Appropriation's Wrapup

As has been the rule for this administration, the appropriations battle goes down to the wire requiring three or more continuing resolutions to keep the government operating. A majority of the time the administration wins out and is able to get many of its priorities funded. This year is no exception and Indian programs in both the Department of Education and Interior have managed to benefit. Department of Education Indian programs received a fifty percent increase over 2000 to its highest level ever. Bureau of Indian Affairs (BIA) did well, including their often plagued school construction program which saw funding at levels exceeding the President's request. Early indicators at the onset of the BIA appropriation's process revealed a possible four percent reduction over current year funding, which thankfully never came to pass.

The 2001 fiscal year budget funds federal agencies and programs from October 1 through September 30 2001.

The appropriation's cycle began in February when President Clinton released his proposed $1.84 trillion budget to Congress for Fiscal Year 2001. (Of the proposed $1.84 trillion budget, a record $9.4 billion (an increase of $1.2 billion over FY00) was proposed to fund existing and newly proposed programs assisting American Indians, Alaska Natives and Indian reservations. The Administration's FY01 budget request for Indian education programs represented the largest increase ever. Some of the Indian education highlights follow.

Department of Education, Office of Indian Education (OIE)

The President's request for the Department of Education's Office of Indian Education (OIE) was $115.5 million, an increase of 50% ($38.5 million) when compared to the $77 million appropriated in FY00. The House initially reduced the request by $7.7 million, while the Senate left in full funding. The Labor, HHS & Education conference report recommended full funding for OIE. Increased funding is reflected in Subparts 1, 2, and 4 of Title IX, the Improving America's Schools Act (IASA). Grants to LEA's will receive a 50% increase for a total of $92.8 million. The increased funding will allow public and BIA-supported schools to receive additional money to expand existing programs, initiate new programs, or provide other services to improve the

educational opportunities and achievement of Indian students. The per-pupil average expenditure (PPE) for Indian students will increase from $134 to $200 in 2001. Since the program's enactment, the PPE has remained relatively constant with little increase.

The Indian Education Act was signed into law in 1972. In 1973, the program received its first appropriation in the amount of $18 million. In 2001 the funding for OIE will be $115.5 million.

Increased funding for discretionary grants programs will provide $20 million in FY01 for the Special programs for Indian children section (an increase of $6.7 million). Included within the Special programs section is $5 million to fund new awards for school readiness demonstrations and educator professional development projects. National Activities for providing research will receive an increase of $1 million for a total of $2.7 million.

INDIAN EDUCATION EXECUTIVE ORDER

The proposed budget responds to the President's 1998 Executive Order No. 13096 on American Indian and Alaska Native Education, which commits the Federal Government to developing a comprehensive response to the national need for better education of Indians. Efforts are focused on improving reading, mathematics, science, post-secondary attendance and completion rates, and ensuring that Indian students have access to strong, safe, and drug-free school environments.

The President's FY2001 Budget request included $50 million for a new School Renovation program, $5 million for Impact Aid construction funding, and a $30 million bonding proposal in the Bureau of Indian Affairs. Of the three, only the Impact Aid program was recommended for funding at $25 million in the House and $35 million in the Senate.

Initiatives in the 2001 budget request supporting the Executive Order include: (1) continuation of the FY2000 $10 million **American Indian Teacher Corps**, which will train 1,000 Indian teachers to take positions in schools that serve concentrations of Indian children; (2) a new $5 million **American Indian Administrator Corps***, a discretionary program to support the recruitment, training, and in-service professional development of 500 American Indians and Alaska Natives to become effective school administrators in schools with high populations of American Indian and Alaska Native students; and (3) a comprehensive Federal research agenda on Indian education recommended at $2.7 million.

*As in the American Indian Teacher Corps initiative, higher education institutions are encouraged to form consortia with tribal colleges in order to develop this program.

The President also requested $50 million for school renovation grants to public schools with high concentrations of American Indian students. Approximately 119 LEAs with at least 50 percent of their children residing on Indian lands would benefit from these grants. Unfortunately, this program was not funded in FY2001.

National Advisory Council on Indian Education (NACIE)

The Administration requested $50,000 for the National Advisory Council on Indian, the only presidential advisory council on Indian Education. NACIE currently does not have an office within the Department of Education and the prospects are not good that one will be reopened. Given the momentum of the recently signed Indian Education Executive Order and the increased funding for OIE, now would have been the ideal time to reestablish this office. Unfortunately, the administration and the departmental hierarchy have not seen the benefit of reopening the NACIE office. Their reinstatement would have, in fact, strategically benefitted Indian education within the Department of Education for the incoming administration. Prior to 1997, NACIE operated on approximately $500,000 annually. Now they operate with ten percent of that amount.

In 1997, the Department of Education reported 142,000 American Indian and Alaska Native students attending postsecondary institutions. Of this number 9,400 were in graduate level programs and 2,300 were in professional level programs.

Higher education (Office of Post-secondary Education) programs also receive increases. HEA Title III - Part A, section 316 (Strengthening Tribally Controlled Colleges and Universities) is increased by $3 million. The resulting $9 million will help 24 TCCU's serve American Indian students through academic program development and improved administrative management. The FY01 budget proposes a new $40 million Dual-Degree Programs for Minority-Serving Institutions program to increase opportunities for students at 2-year and 4-year minority-serving institutions. Students would receive two degrees within five years: one from a minority-serving institution, and one from a partner institution in a field in which minorities are underrepresented. Participants would spend 3 years as undergraduates at the minority-serving institution(s) and 2 years at a partner institution, such as a major research university. Funds would help participating institutions develop dual degree programs and primarily provide scholarships to students when they attend the partner institution. Funds would also reimburse the minority-serving institution for the tuition revenue it loses when the participating student transfers. This program will serve an estimated 3,000 students.

Vocational education (Office of Vocational and Adult Education) The FY2001 request is over $1.1 billion and is recommended at $10 million less than FY2000. From the funds for for State Grants, 1.25 percent is set aside for grants to Indian tribes and organizations and 0.25 percent for programs for Native Hawaiians. The FY2001 request is $10.7 million for the Indian program and $2.1 million for Native Hawaiians. If funded at this amount, the Indian amount would be $2.5 million less than 2000. The Native Hawaiian program would also see a $500,000 reduction from 2000. Additionally, there is a Tribally Controlled Postsecondary Vocational and Technical Institutions program recommended at $4.6 million for 2001 that is level with 2000.

To be a tribally controlled postsecondary institution, the program must be formally controlled or have been sanctioned or chartered by a governing body of an Indian tribe or consortium of tribes.

Alaska Native Education Equity
The FY2001 request is $13 million and is level with FY2000. The proposal will fund an

Educational Planning, Curriculum Development, Teacher Training, and Recruitment program at $5.4 million; a Home-based Education for Pre-School Children program at $5.7 million; and a School Enrichment program at $1.9 million. The Alaska Native Education Equity program funding request provides funding for continuation of projects that address the barriers preventing Alaska Native students from achieving to higher academic standards.

*Educational Planning-Curriculum Development-Teacher Training and Recruitment ($5.4 million), Home-based Education for Pre-School Children ($5.7 million), and School Enrichment ($1.9 million).

Native Hawaiians officially became voting members of NIEA in 1999 and are able to vote on NIEA business equal with American Indians and Alaska Natives.

Education for Native Hawaiians

The President requests $23 million for Native Hawaiian Education (ESEA IX-B) in FY01. The Administration's reauthorization proposal consolidates the seven* separate programs into one comprehensive authority. This would permit projects currently funded under the program areas presently authorized by the statute. Moreover, it would permit additional projects in areas identified by the Secretary of the Congress. Funding for many projects expires in FY00. Under a consolidated authority, the requested level-funding would support new awards.

*Family-Based Education Centers ($8.9 million), Higher Education ($2.7 million in FY00), Gifted and Talented ($2.2 million), Special Education ($2.2 million), Curriculum Development-Teacher Training and Recruitment ($4.1 million), Community-Based Centers ($1.1 million), and Native Hawaiian Education Councils ($400,000).

The Republican proposal would move Head Start to the Department of Education to prioritize the education (school-readiness) component of Head Start over the health, nutrition, and social service components of Head Start.

Head Start

The FY2001 budget request was $175 million for Indian Head Start within the Department of Health and Human Services. This is a $30 million increase over the amount appropriated in FY2000. The overall FY2001 request is $6.3 billion and is $1 billion over 2000. NIEA supports the FY2000 budget request. In 1998, there were over 21,600 American Indian and Alaska Native children attending Head Start. If the budget request is approved, Indian communities should see an increase in Indian Head Start programs and enrollment. Currently there are 150 Indian Head Start programs serving Indian communities.

Impact Aid. The FY2001 request is $770 million and is $136.5 million less than the FY2000 enacted level. The Administration's request would provide the following allocations: Basic - $720 million; Special Education - $40 million; Heavily Impacted Districts - $0; Facilities Maintenance - $5 million; Construction, $5 million; and Payments for Federal property - $0. NIEA, in its annual budget testimony, supported the National Association of Federally Impacted Schools (NAFIS) request of $1.03 billion which proposes the following allocations: Basic - $818 million; Heavily Impacted Districts - $82 million; Special Education - $50 million; Payments for Federal property - $47 million; Construction - $8 million; and Facilities Maintenance - $8 million. Near the end of

the 106th session, the Impact Aid program was recommended for $985 million in the House and $1.075 billion in the Senate.

Bureau of Indian Affairs, Office of Indian Education Programs (OIEP)
The FY2001 budget request for all agencies within the Bureau of Indian Affairs (BIA) was $2.2 billion and represents an increase of $331.9 million above the FY00 enacted amount.

This budget provides the largest increase ever for school construction. Below are the requested funding amounts for the separate BIA-funded categories and the final negotiated levels.

The Interior appropriations bill (H. Rpt. 106-646 and S. Rpt. 106-645) was signed into law on October 11, 2000 as P.L.106-291.

School Operations: The largest education component within the BIA's budget is School Operations. The FY01 budget request, which will fund 185 schools and dormitories serving over 50,000 elementary and secondary students in 23 states, was $506 million (an increase of more than 8% over the amount provided in FY00). Of the request, $490 million was finally approved. The appropriation will help schools maintain accreditation, gain access to computers, and provide $3,685 per weighted student unit. Currently, the amount spent per Indian student is only $3,200. The administration requested $15 million for Early Childhood Development but ended up with $12 million. The distribution under Early Childhood will be some what lower for certain categories, but the initial recommendations were: $6.8 million for expanding the early education Family and Child Education (FACE) programs to serve 22 new sites (for a total of 44 sites) and $8.2 million for establishing a pilot Therapeutic Residential Treatment Programs (TRTP) at six BIA boarding schools and dormitories. This program was authorized in 1994 under P. L. 103-382 (Improving America's Schools Act) to provide intervention treatments to high-risk students in Bureau-funded boarding schools. The budget also provides a $3 million increase for the development of a school statistics initiative. To support collaboration with the Department of Education on this new project, $500,000 is provided.

The President's FY2001 budget request for BIA Indian education programs was over $1 billion. NIEA's request for the same programs was $33 million over the president's request. The final appropriation was $891 million.

Other funding under School Operations include: a $13.7 million increase in Indian School Equalization Program (ISEP) to $331 million (to meet mandated teacher, counselor, and other staff requirements); level funding for Student Transportation to $36.3 million; a $1 million reduction over current year funding in Facilities Operations to $54.6 million (for facilities operations at the 185 elementary and secondary schools and two post-secondary institutions); a $1 million increase in Administrative Cost Grants to $43.2 million (to allow Tribes to contract for the operation of BIA-funded schools without reducing direct program services to students); and level funding of $7.4 million for Area/Agency Technical Support.

The FY01 funding request for post-secondary education totals $38.2 million and was funded at the President's request. The budget reflects a $2.9 million increase over FY00 ($34.2 million) for operating grants to 25 tribally controlled community colleges (TCCC's), bringing the total to $37.1 million. These colleges are vital to helping Native Americans secure professional employment and promote entrepreneurship on reservations. An increase of $1.3 million to enhance the Crownpoint Institute of Technology's vocational-technical course work for Indian students is also proposed.

The budget, in total, provides around $545 million for strengthening BIA-funded elementary and secondary schools and post-secondary colleges serving Tribes. This represents an increase of $43 million over the FY00 level.

The FY2001 request for TPA education programs was $52.6 million. The final allocation was $3 million less.

Tribal Priority Allocation (TPA): The overall FY01 funding request for TPA was $734.6 million, an increase from $701 million in FY00, but $23.7 million less than the request. Majority of the requested increase in TPA funding is directed toward non-education line items. Scholarships for American Indian and Alaska Native post-secondary students received lass than current year funding at $27.8 million and nearly $3 million less than the request; (2) an increase of $40,000 to $1.1 million for TCCC's Supplement to Grants; and (3) level funding of $1.35 million for Tribally-designed education. In order to fund the operations of tribal colleges, an increase of approximately $3 million was proposed within the Interior budget. TPA education programs which will receive cuts from the FY00 enacted amounts are Adult education and Johnson-O'Malley Assistance Grants. The reduced funding amounts would be $2.4 million and $17 million, respectively.

In FY1986, the Congress appropriated $28 million for BIA scholarships. In FY2001, the Congress appropriated $27.8 million.

Special Programs and Pooled Overhead: The FY01 request for education within Special Programs and Pooled Overhead is $17 million, $1.6 million over FY00. This provides funding for Post Secondary Schools and Special Higher Education Scholarships. Post Secondary Schools received a minimal increase to $14.2 million, while graduate student aid receives level-funding at $1.3 million.

Education Construction: BIA's School Construction and Repair FY2001 budget request was $330.5 million to replace and repair BIA-funded schools on reservations. This represents a 126% increase ($167.3 million) above the amount provided in FY00 ($133.1 million) and is the largest increase ever requested for Indian school construction. The final approved budget total was $293 million which is over double the FY2000 enacted funding level. The funding will be used to replace 6 schools*: Tuba City Boarding School in Arizona, Second Mesa Day School in Arizona, Zia Day School in New Mexico, Baca Consolidated Community School in Mexico, Lummi Tribal School in Washington, and Wingate Elementary School in New Mexico. The Secretary of Interior request for $400 million bonding authority ($200 million in 2001 and $200 million in 2002) to tribes or tribal consortia for the construction and renovation of BIA-funded schools was not funded.

Bonding Initiative: Though not funded this year, the bonding idea could again resurface in 2001. A brief overview of this initiative includes: In lieu of charging interest on a loan, lenders would claim a tax credit on bonds issued by the Tribe. In addition to providing tax credits to the bondholders in lieu of interest payments, the President's budget includes $30 million to help ensure principal repayment for tribal issuers. Any of the six schools being replaced in 2001 could choose the bond option. In addition to the replacement school construction mentioned above, the budget includes an increase of $103.4 million to address existing critical health and safety concerns at BIA-funded elementary and secondary education facilities. A total of $171.2 million would be used to pay for school maintenance and repair work, helping to reduce the BIA's $800 million backlog of education facility repairs. A $42.6 million increase for BIA education operations would provide additional teachers, student transportation, and increasing tribal control over school operations.

*School replacement priorities are based on a new priority list of 13 schools, which is comprised of the last three uncompleted schools from the old priority list published in 1993 and 10 new schools.

Through funding from other sources (the National Science Foundation, and the Departments of Agriculture, Housing and Urban Development--HUD, and Transportation) and including funding from the Department of Education at $9 million and Department of the Interior at $38 million, the FY01 budget includes a total of $77 million for support to tribal colleges. The President proposes a new $10 million initiative, to be administered by the National Science Foundation, to encourage Native Americans to pursue careers in information technology and other science and technology fields.

Grants to tribal colleges will be used for networking and access; course development; student assistance; and capacity building. The President also proposes a 54% increase (to $7.1 million) to the Native American Institutions Endowment Fund at the Department of Agriculture. This will help build student recruitment and retention; curricula development; faculty preparation; instruction delivery systems; and scientific instrumentation for teaching. The Indian Tribal Colleges and Universities Special Purpose Block Grants program is a new $5 million initiative within HUD's Community Development Block Grant program. Competitive grants will be awarded to tribal colleges and universities to assist their communities with neighborhood revitalization, housing and economic development. The Department of Transportation funds a construction skills training program targeted to all minorities. The President's FY01 budget will set aside $1 million to train Native Americans.

Indian School Construction Act Passed By Senate Indian Affairs Committee

On September 27, 2000, the Senate Committee on Indian Affairs passed S. 2580, the Indian School Construction Act, by voice vote. The legislation, which is designed to increase federal support for the construction and renovation of BIA-funded schools, was introduced on May 17 by Senators Johnson (D-SD), Bingaman (D-NM), Daschle (D-SD), and Inouye (D-HI). S. 2580 would establish a bonding authority that tribes could access for school construction and renovation projects. The bill would establish a $30 million escrow account, using unobligated BIA account funds, to pay principal on the bonds. The interest portion of the bonds would be paid to investors through federal tax credits.

To be eligible to issue bonds, a tribal government would have to submit a construction plan containing a description of the needed repairs and maintenance (based on a survey of the school's

needs) to the Secretary of the Interior. School on the Bureau of Indian Affairs' school construction priority list would receive priority for financing.

Testifying at the hearing were: Sen. Tim Johnson (D-SD); William Mehojah, BIA Office of Indian Education Programs; John Cheek, National Indian Education Association; Jeff Seidel, Parkway Muni Resources; and Frank Rapp, Dakota Area Consortium of Treaty Schools.

All witnesses testified in general support of the bill. In his testimony, NIEA Executive Director cautioned that the bill should not be used as an excuse for cutting direct appropriations for school construction and renovation, and suggested that the bill be amended to include both contract and grant schools operated by tribes.

During the hearing, Chairman Campbell agreed to cosponsor the proposal and said that he would try to advance it as quickly as possible. However, due to the short time left in the 106th Congress following the Committee's approval of S. 2580, it failed to pass the Senate prior to adjournment. The bill likely will be reintroduced in the 107th Congress.

American Indian Education Foundation Act Passes Senate, Stalls In House

On November 4, 1999, the Senate passed S. 1290, the American Indian Education Foundation Act, which would establish a federally chartered non-profit entity to encourage, accept, and administer private gifts for the benefit for support of educational opportunities for students at BIA-funded schools. The House Resources Committee approved a companion bill, H.R. 3080, in October 1999, but no further action was taken on it.

Senator Daniel Inouye (D-HI) and Representative Dale Kildee (D-MI) sponsored the Senate and House bills, respectively. The legislation is needed because, currently, the BIA is prohibited from accepting donations for educational purposes, even though approximately $400,000 has been held in trust from various bequeaths.

At a July 1, 1999, Senate Indian Affairs Committee hearing on S. 1290, NIEA Executive Director John Cheek testified in general support of the bill. However, he noted several concerns about the bill's provisions, including the eligibility of Indian trust lands for donation and the composition of the Foundation board. When asked by Vice Chairman Inouye whether higher education programs should be allowed to participate in the Foundation, given that there is an American Indian College Fund, NIEA responded that any donations given for that specific purpose should be allowable, especially in light of recent cuts to all Indian higher education programs.

Senate Passes "477" Legislation

On May 18, 2000, the Senate approved S. 1509, legislation which would make several changes to the "477" program. Specifically, the bill would amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to:

- Revise requirements regarding affected programs to include those that assist Indian youth and adults to succeed in the workforce, encourage self-sufficiency, familiarize them with the world of work, facilitate the creation of job opportunities, and any services related to these activities (replacing current law requirements of job training, tribal work experience, employment

opportunities, or skill development, or any program designed for the enhancement of job opportunities or employment training);

- Require the Secretary of the Interior to reconsider disapproval of any statutory waiver requested by a tribe;
- Authorize the use of a percentage of funds made available under the Act for the creation of employment opportunities;
- Permit a regional consortium of Alaska Native villages or regional or village corporations to carry out a project under a plan that meets the Act's requirements through a resolution adopted by the governing body of that consortium or corporation; and
- Require the Secretaries of the Interior, Health and Human Services, and Labor, and participating tribes and organizations to report to the Senate Committee on Indian Affairs and the House Committee on Resources on the opportunities for expanding the integration of human resource development and economic development programs, as well as on the feasibility of establishing Joint Funding Agreements to authorize tribes to access and coordinate funds and resources from various agencies for purposes of human development, physical infrastructure development, and economic development assistance in general.

Senate Indian Affairs Committee Approves Native Languages Bill

On September 27, the Senate Committee on Indian Affairs approved S. 2688, the Native American Languages Act Amendments of 2000. This bill, which was introduced by Senators Inouye (D-HI), Akaka (D-HI), Cochran (R-MS), Dodd (D-CT), Kennedy (D-MA), Murray (D-WA), and Schumer (D-NY) on June 7, 2000, would amend the Native American Languages Act, P.L. 101-477, to increase the federal government's commitment to the preservation and revitalization of Native languages.

Specifically, the bill would support the development of Native American Language Survival Schools to educate students in both Native American Languages and English. It also would authorize the creation of Native American Language Nests, which are language immersion programs for children aged six and under. Finally, the bill would authorize the following activities: curriculum development; teacher, staff, and community resource development; rental, lease, purchase, construction, and repair of facilities; and the establishment of two Native American Language School support centers. One would be located at the Native Language College at the University of Hawaii, and the other would be located at the Alaska Native Language Center at the University of Alaska.

Re-authorization of the Elementary and Secondary Education Act (ESEA)

During the 106th session of Congress the reauthorization of the Elementary and Secondary Education Act (ESEA) was not completed. Even though the House managed to pass several new sections of the reauthorization bill, the entire process starts over in 2001. ESEA is the primary law that governs federal aid to public schools, including certain Indian education programs. Through the ESEA, the federal government provides about $14 billion in annual education funding for

everything from aid to disadvantaged and low-income children to arts education, literacy programs, teacher training, Indian education and bilingual instruction.

The re-authorization of ESEA is an opportunity to expand upon the basic array of Title IX, Indian Education programs that have single-handedly elevated the status of American Indians and Alaska Natives since its enactment in 1972. The formula program is the primary grant initiative administered to 1,200 LEAs and serving over 450,000 students. The program reaches a majority of the 600,000 American Indian and Alaska Native students attending the nation's public schools.

ESEA is re-authorized every five years and was last re-authorized in 1994 (P. L. 103-382). Republicans have tentatively scheduled the difficult task of re-authorizing the ESEA for early March. The Senate Health, Education, Labor, and Pensions Committee planned to move the ESEA as one bill, but came up against election year roadblocks. The House also started the reauthorization process in 1999 and 2000 as a series of bills which included "The Student Results Act" (H. R. 2) passed in 1999.

The Student Results Act of 1999, H. R. 2

As stated above, Congress has yet to re-authorize the Elementary and Secondary Education Act (ESEA) which includes over 40 education programs targeted to specific needs. However, H. R. 2, The Students Results Act of 1999, passed the House on October 21, 1999 by a vote of 358-67 and would re-authorize funding for ESEA's landmark Title I program and other programs assisting low achieving students. Programs authorized in the bill are: Title I, Part A (education of the disadvantaged), Native American and Alaskan programs, Migrant Education, Neglected and Delinquent, Bilingual Education, Magnet Schools Assistance, Gifted and Talented, Rural Education, and the Stewart B. McKinney Homeless Assistance program. Title I of the ESEA is the single largest federal education program for elementary and secondary students. Title I grants are made to states and dispersed to local school districts based on the population of students living at or below the poverty line.

Indian Education Concerns With H.R.2

Under H. R. 2, currently funded Indian Education programs (within the Department of Education) are maintained at their current funding levels. H. R. 2 adds family literacy services as an allowable use of funds and adds a new flexibility provision to allow school districts receiving formula grants for Indian students to combine all federal funds they receive to serve Indian students into a single, more flexible and efficient program for improving Indian student achievement. It also limits the use of funds for administrative purposes to five percent thereby directing more money to the classroom.

However, it repeals four competitive grant programs which have not received funding in the last several years and drastically changes and eliminates many of the basic core programs that have sustained Indian people at all educational levels. Unfortunately, the proposal eliminates: Fellowships for Indian students, Gifted and Talented programs, Grants to Tribes for Administrative Planning and Development, and Special Programs Relating to Adult Education.

1. Gifted and Talented Programs: American Indians, according to a 1991 Department of Education Longitudinal Study on eighth grade students, participate at only 2.1 percent compared to national participation of 8.8 percent.

2. Adult Education: The Adult Education program was funded for many years and clearly addressed a major need in the Indian community. Adult education programs assisted on average anywhere from 5,000 to 11,000 participants annually. NIEA has consistently advocated for this program and has identified adult education as one of the major priorities for Indian people in 2001. After funding for the program was eliminated in 1995, Members of Congress looked at the idea of creating a similar program under the Adult Education Act which was at that time undergoing its own re-authorization. The proposal was dropped when the Office of Vocational Education (OVAE) data indicated that American Indians seemed to be served well under State adult education programs. After the department of Education declined to request funding for the Adult Education Program, appropriators followed suit and cut BIA's adult education budget in half to its current funding at $2.6 million. Prior to 1996, the federal government's funding of adult Indian education programs exceeded $10 million.

When the participation rates are taken within the context of the overall need in Indian Country, the data shows that 28% of the Indian population is still unable to gain access or benefit from mainstream Adult Education Act programs, as compared with 20% of the total U.S. population. This means that the proportion of people in need in Indian Country is 40% higher than the corresponding proportion of the U.S. population.

3. Indian Fellowships: Claiming that the program did not create any real incentive for Institutions of Higher Education (IHEs) to make an effort to educate Indian students, the Department and the Administration proposed the repeal of the fellowships authority in 1993-1994. It was assumed that a better approach was to pursue IHE-based programs rather than a costly grants-to-individuals program. In favor of implementing other approaches to assisting post-secondary Indian students, the Department, lacking permanent leadership in OIE and insufficient staff resources, phased-out funding for the Indian fellowship program.

While current initiatives focus on teacher training, which is also needed, there are no specific higher education programs aimed at recruiting Indian applicant's into other professional fields of study. The Indian Health Service scholarship program allows approximately 100 students to enter the health professions yearly. BIA scholarships, as administered by tribes, assist less than 10,000 students with an average award of $3000 per student. The Department of Education estimates that over 140,000 Indian students are being served by post-secondary institutions. Currently, an estimated 35,000 Indian students (including 25,000 tribal college students) are being served by Indian-specific higher education programs. NIEA is concerned that the remaining 105,000 Indian students are not being supported by Indian specific funding sources.

4. Tribal Education Departments: The Tribal Departments of Education authority has been in existence for four years and has

Throughout the existence of Tribal Education Departments, they have never received federal funding, except on one occasion when the Mississippi Choctaw received funding.

never been recommended for funding within the Department of Education budget hierarchy. Since its authorization, NIEA has advocated for at least $3 million to assist tribes in developing their education department infrastructures. As tribes move toward more local control over education programs, they will need the ability to manage and design programs that align with tribal codes and state/national assessment criteria. The Bureau of Indian Affairs has a similar authority and, with the exception of one $100,000 grant to the Mississippi Choctaw Indian Nation several years ago, has never been funded. Although no funding is provided, NIEA recommends at least $3 million for tribal departments of education. NIEA believes that sufficient funding should be provided to assist tribes in planning and developing their own centralized tribal administrative entities to accomplish their goals in accordance with school reform and accreditation standards.

Elimination of these programs at the same time the Administration is implementing a major Executive Order on American Indian Education sends the wrong signal to Indian Country. The obvious irony is a major concern for Indian education advocates who consider the Order the first real attempt at removing the roadblocks to advancing achievement by Indian people.

Regarding local flexibility, the adoption of H. R. 2 would require, not later than 3 years after enactment, all teachers' aides to have: (1) completed at least 2 years of study at an institution of higher education; (2) obtained an associate's or higher degree; or (3) met a rigorous standard of quality established at the local level, which includes an assessment of math, reading and writing. It would also freeze the number of para-professionals at their current levels, with limited exceptions. Under current law, teachers' aides funded under Title I must, at a minimum, obtain a high school diploma or GED within two years of employment as an aide. This could drastically effect Title IX programs which almost exclusively use Indian parents as Teacher Aides, Resource Personnel, etc. This may have an unintended negative impact on parental involvement if the provision stays in.

*The Indian Education Act was originally enacted in 1972 in response to the education needs of Indian students, many of whom were dropping out of school at rates approaching 100%. The Act included a critical component which allows Indian parental and community involvement in the design of education programs. Since 1972, the Act has remained virtually the same and provided programs for students in grades K-12, fellowships, and adult education services. Currently, the program offers only a formula grant to 1,200 school districts serving over 450,000 Indian students.

In relation to Indian Education Programs within the Bureau of Indian Affairs (BIA), the provisions within H. R. 2 generally reflect current law. Within H. R. 2 are also provisions which were proposed by Indian school associations. The administration has voiced its support.

H. R. 2 would require Indian students to be a member of a federally recognized Tribe or have a minimum of 1/4 degree or more Indian blood and be in residence on or near a federal Indian reservation. H. R. 2 would require the coordination of services between providers of family literacy and would allow BIA funded schools to get State or regional accreditation, rather than having to meet BIA federally imposed education standards. Moreover, it would allow Tribes to improve and expand educational programs at BIA funded schools using their own resources and give parents the choice of which BIA funded school their child(ren) will attend. Tribes would have a greater say in school repair and maintenance priorities. They could contract for training services; would be given

increased authority to choose service providers for purchasing supplies; and (Tribes and local school boards) would be given more flexibility in making school staffing decisions.

Under H. R. 2, BIA inspectors would be required to get a second opinion from a mutually (between the Tribe and BIA) agreed upon independent source before fully closing a BIA funded school for health and safety violations. Also, it would prohibit the use of facilities Operation & Maintenance funds to pay for administrative and other activities; BIA would be required to spend all maintenance money at school sites.

Amendments to P.L.95-561 and P.L.100-297

The 106th Congress also began work on amending two additional Indian education laws, P.L.95-561 and P.L.100-297 which govern the operation of BIA and tribally controlled schools. Due to the disparity between local Indian education organizations on needed changes to both these laws, NIEA never took an official stand on the two draft proposals. H.R.2 was passed with amendments to both these laws, however, the companion piece on the Senate side was never officially acted on. Some of the proposed changes included a provision that would require the use of negotiated rulemaking to implement both Indian Education Laws (P.L.95-561 and P.L.100-297). It also included an expanded list of Indian Self-Determination Act provisions to be incorporated into P. L. 100-297. The bill rejects BIA current proposals to amend P.L.100-297.

The BIA currently operates 185 tribal schools as authorized under Title XI of the Education Amendments of 1978 (Public law 95-561). Several of these schools are home-living schools that serve students with exceptional needs. The Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, authorized the BIA to transfer school management authority to tribal agencies via contracts. The majority of BIA funding supports the Indian School Equalization Program (ISEP) grants to BIA-operated and contract schools as well as providing administrative cost grants to assist in the operation of contract schools. The ISEP formula considers the unique needs and grades served by each school to determine the proportion of available funds that each school receives. In addition, BIA supports an Early Childhood Development Program and the establishment of Tribal Departments of Education as authorized under Title XI. Authorization for these last two programs expired in 1999 and General Education Provisions Act (GEPA) extensions do not apply to programs under the Department of the Interior. All other BIA programs are permanently authorized under the Snyder Act of 1921 (Public Law 65-95).
The following are general comments NIEA was concerned with regarding sections of the proposed amendments to P.L.95-561.

- Indirect Cost Issue - In March, NIEA held its third annual Indian education Impact Week, here in Washington, DC. During a presentation by Assistant Secretary Indian Affairs, Kevin Gover, several people asked about a situation at their school(s) where Facilities Operations and Maintenance (O&M) funds were being reduced by 3 to 16%. Assistant Secretary Gover was unaware of the disparities in the amounts withheld and seemed to be unclear as to why there even needed to be a reduction, and if there was a need, why it was over 4%. Without knowing the full details of this issue, NIEA would recommend that if any reduction needs to be made that it be at the lowest level possible and administered equitably.

- Negotiated Rule Making - NIEA understands that Sec. 1137 provides for negotiated rulemaking with the BIA developing the initial proposed regulations. NIEA recommends that to the extent possible, the process of negotiated rulemaking be fairly conducted and that representatives from the associations represented here today and tribal representatives be included in the process. The process of "negotiations" indicates that two differing entities or opinions sit at the same table to work our differences. By having the draft regulations developed "in house" before being reviewed by stakeholders, an uneven playing field is established from the outset. Public Law 93-638 regulations were developed with a similar process involving tribes and federal officials and met with some success. We recommend a similar approach.

- Forward Funding - The current law provides a mechanism for forward funding of certain BIA education functions such as the Indian School Equalization Formula and transportation. The idea of moving all school related functions into a forward funded cycle would require a double appropriation to start the process for such areas as Facilities O&M. If the appropriation committees could be convinced such a tactic would relieve some of the funding issues with O&M dollars, NIEA would support the effort. Given that fact that we are in third year of increasing budget surpluses, now would be the perfect time to ask for the increased funding.

P.L. 100-297:

- First Grant Payment - Under P.L.100-297, the House version (H.R.2) recommends that the first grant payment be made on July 15 and that the amount be 85% of the school's prior year allocation. The current Indian Affairs Committee draft recommends 80%. NIEA recommends that the percentage to be paid on the required July 15 date be 85%. Part of the issue may be due to the possible decrease in the number of students in the current year as compared with the previous year. In any case, we recommend that any overage to the school, simply be reimbursed as referred to further on in section 5208.

2000 GOP Platform Statement Regarding Native Americans

The federal government has a special responsibility, ethical and legal, to make the American dream accessible to Native Americans. Unfortunately, the resources that the United States holds in trust for them, financial and otherwise, have been misused and abused. While many tribes have become energetic participants in the mainstream of American life, the serious social ills afflicting some reservations have been worsened by decades of mismanagement from Washington. In its place, we offer these guiding principles:

Tribal governments are best situated to gauge the needs of their communities and members.

- Political self-determination and economic self-sufficiency are twin pillars of an effective Indian policy.
- Private sector initiatives, rather than public assistance, can best improve material conditions in Indian communities.
- High taxes and unreasonable regulations stifle new and expanded businesses and thwart the creation of job opportunities and prosperity.

We will strengthen Native American self-determination by respecting tribal sovereignty, encouraging economic development on reservations, and working with them to reorganize the Bureau of Indian Affairs and the Indian Health Service. We uphold the unique

government-to-government relationship between the tribes and the United States and honor our nation's trust obligations to them.

We support efforts to ensure equitable participation in federal programs by Native Americans, Native Alaskans, and Native Hawaiians and to preserve their cultures and languages.

2000 Democratic Party Platform Statement Regarding Native Americans

The Democratic Party proudly upholds its tradition of support for the first Americans. The sovereignty of the American Indians and Native Alaskans and a strong affirmation of the government-to-government relationship are basic to our approach to the tribal governments. As we move into the 21st century, we have to renew our trust obligations and work to improve the lives of the many Indians who live in terrible poverty. The Democratic Party pledges to continue our work to make a difference in the lives of those who occupied this land before us. We affirm the legal and political relationship between the United States and Native Hawaiians as an important step in the continuing process of reconciliation. We will work to pass legislation establishing a process for Native Hawaiians to reorganize a governing body, freely chosen, expressing their rights to self-determination. The justice we provide the first Americans is a measure of our nation's character, and Democrats believe we should build on the progress of the last eight years.

Partial Listing of Education/Indian Related Public Laws for the 106th Congress

P.L.106-3, S.447 - Introduced by Conrad Burns on 2-23-99 for certain Impact Aid payments for fiscal year 1999. Signed 3-23-99.

P.L. 106-179 - Indian Economic Development Act, Introduced by Ben Nighthorse Campbell on 3-15-99. Signed on 3-14-00.

P.L.106-211 - Introduced by Mark Green on 2-10-00 to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under Part A of Title III. Signed on 5-26-00.

P.L.106-260 - Tribal Self Governance Amendments of 2000, Introduced by Don Young on 3-17-99. Signed on 8-18-00.

P.L.106-291 - Making Appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2001. Introduced by Ralph Regula on 6-1-00. Signed 10-11-00.

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PRELIMINARY FY2001 FEDERAL FUNDNG FOR SELECTED MAJOR GOVERNMENT-WIDE AMERICAN INDIAN PROGRAMS

August 21, 2000 (Budget Authority in millions of dollars)

	APPROPS BILLS	FY1999 ACTUAL	FY2000 ENACT.ADJ**	FY2001 REQUEST	8-00 HOUSE	HOUSE VS. REQUEST	8-00 SENATE	SENATE VS. REQUEST
DEPARTMENT OF HEALTH AND HUMAN SERVCES								
Indian Head Start	(Labor/HHS/ED)	$130	$147	$175	$158	($17)	$175	$0
Indian Health Service (Budget Authority)	(Interior)	$2,240	$2,391	$2,620	$2,443	($177)	$2,534	($86)
Indian Health Service (Total Program Level)		*$2,650*	*$2,830*	*$3,060*	*$2,882*	($178)	$2,973	($87)
Contract Support		$204	$229	$269	$229	($40)	$244	($25)
ACF:ANA-Tribal Commercial Code/Energy Dvlpmt Grants	(Labor/HHS/ED)	$35	$35	$44	$35	($9)	$40	($4)
Administration on Aging	(Labor/HHS/ED)	$18	$18	$23	$18	($5)	$3	($20)
DEPARTMENT OF EDUCATION	(Labor/HHS/ED)	$1,530	$1,627	$1,706	$1,688	($18)	$1,744	$38
School Renovation Initiative	-	-		$50	$0	($50)	$0	($50)
Impact Aid--Public School Construction		$5	$5	$5	$0	($5)	$0	($5)
Native American Teacher Corps	-		$10	$10	$0	$0	$10	$0
Native American Administrator Corps	-	-		$5	$0	($5)	$5	$0
Tribal College Capacity Building		$3	$6	$9	$12	$3	$10	$1
Inter-Agency Tribal College Initiative		$43	$57	$67	$61	($6)	$62	($5)
DEPARTMENT OF THE INTERIOR	(Interior)							
Bureau of Indian Affairs		$1,746	$1,869	$2,201	$1,881	($320)	$2,088	($113)
Operation of Indian Programs		$1,584	$1,640	$1,795	$1,657	($138)	$1,707	($88)
School Operations		$476	$457	$507	$472	($35)	$479	($28)
Therapeutic Model		-	-	$8	$0	($8)	$0	($8)
FACE		$6	$6	$12	$6	($6)	$6	($6)
Tribal College Operation		$31	$35	$38	$36	($2)	$38	$0
Road/Bridge Maintenance		$26	$26	$32	$26	($6)	$27	($5)
Housing Improvement		$16	$16	$32	$9	($23)	$16	($16)
Contract Support and ISD		$115	$125	$134	$125	($9)	$130	($4)
Law Enforcement		$99	$141	$160	$141	($19)	$152	($8)
Trust Services		$73	$73	$108	$88	($20)	$85	($23)
School Construction, Repair, Maintenance		$60	$133	$300	$120	($180)	$277	($23)
Bonding Initiative		-	-	$30	$0	($30)	$0	($30)
Office of Special Trustee and Land Consolidation	(Interior)	$66	$95	$95	$87	($8)	$93	($2)
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	(VA/HUD)	$693	$693	$725	$693	($32)	N/A	($725)
Native American Housing Block Grant		$620	$620	$650	$620	($30)	N/A	($650)
Title IV Loan Guarantee		$6	$6	$5	$6	$1	N/A	($5)
Indian Himeownership Intermediary Initiative		-	-	$5	$0	($5)	N/A	($5)
Indian Community Development Block Grant		$67	$67	$69	$67	($2)	N/A	($69)
Native American Business Access Center		-	-	$2	$0	($2)	N/A	($2)
Tribal Colleges Initiative		-	-	$5	$0	($5)	N/A	($5)
Indian Housing Loan Guarantee		$6	$6	$6	$6	$0	N/A	($6)
DEPARTMENT OF TRANSPORTATION	(Transportation)	$284	$250	$375	$258	($117)	$292	($83)
Indian Reservation Roads and Bridges		$264	$232	$349	$240	($109)	$274	($75)
Job Access		-	-	$5	$0	($5)	$0	($5)
Tribal College Technical Assistance		-	-	$1	$0	($1)	$0	($1)
Construction Skills Training		-	-	$1	$0	($1)	$0	($1)
Highway Safety Grants		$1	$1	$2	$1	($1)	$1	($1)

PRELIMINARY FY2001 FEDERAL FUNDNG FOR SELECTED MAJOR GOVERNMENT-WIDE AMERICAN INDIAN PROGRAMS

August 21, 2000 (Budget Authority in millions of dollars)

	APPROPS BILLS	FY1999 ACTUAL	FY2000 ENACT.ADJ**	FY2001 REQUEST	8-00 HOUSE	HOUSE VS. REQUEST	8-00 SENATE	SENATE VS. REQUEST
DEPARTMENT OF COMMERCE	(C/J/S)	$7	$20	$56	$17	($39)	$16	($40)
Economic Development Administration		$3	$17	$49	$15	($34)	$15	($34)
SMALL BUSINESS ADMINISTRATION		$0	$0	$6	$0	($6)	$5	($1)
Native American Small Business Development Centers	(C/J/S)	-	-	$3	$0	($3)	$3	$0
Tribal Business Information Centers		$0	$0	$2	$0	($2)	$2	$0
BusinessLINC		-	-	$1	$0	($1)	$0	($1)
DEPARTMENT OF TREASURY	(VA/HUD)	$0	$0	$5	$5	$0	N/A	($5)
Comm. Dev. Financial Institutions								
NATIONAL SCIENCE FOUNDATION	(VA/HUD)							
Tribal College Initiative		-	-	$10	$10	$0	N/A	($10)
DEPARTMENT OF AGRICULTURE	(Agriculture)	$197	$198	$229	$215	($14)	$218	($11)
Rural Community Advancement Program		$12	$12	$24	$12	($12)	$24	$0
Tribal Colleges Endowment, Interest, & Payment to 1994 Inst.		$9	$10	$14	$13	($1)	$14	$0
Reservation Agents		$2	$2	$5	$2	($3)	$3	($2)
DEPARTMENT OF JUSTICE/INTERIOR LAW ENFORCEMENT INITIATIVE		$281	$336	$439	$248	($191)	$352	($87)
DOJ, Law Enforcement	(C/J/S)	$182	$195	$279	$107	($172)	$200	($79)
DOJ, Law Enforcement Base		$93	$103	$105	$107	$2	$105	$0
DOJ, Law Enforcement Initiative		$89	$92	$174	$0	($174)	$95	($79)
DOI Law Enforcement	(Interior)	$99	$141	$150	$141	($9)	$152	$2
BDOI, Law Enforcement Base		$79	$101	$101	$101	$0	$101	$0
DOI, Law Enforcement Initiative		$20	$40	$59	$40	($19)	$51	($8)
ENVIRONMENTAL PROTECTION AGENCY	(VA/HUD)	$159	$170	$188	$175	($13)	N/A	($188)
General Assistance Program		$43	$43	$53	$53	$0	N/A	($53)
DEPARTMENT OF ENERGY (TRIBAL ENERGY PROGRAM)	(Energy/Water)	$5	$4	$5	$2	($3)	$7	$2

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FY01 Funding for Selected Department of Education Programs ($ in millions)							
Program	FY00 President's Budget Rqst	FY00 Conference Amount	FY01 President's Budget Rqust	FY01 H Subcmte 05-10-00	FY01 S Subcmte 05-10-00	FY01 House 06-14-00	FY01 Senate 06-30-00
Goals 2000	$491.0	$491.0	$0.0	$40.0	$0.0	$0.0	$0.0
School-to-Work	$55.0	$55.0	$0.0	$0.0	$0.0	$0.0	$0.0
Technology Literacy Challenge Fund	$450.0	$425.0	$0.0	$517.0	$425.0	$517.0	$425.0
Education Technology (part A)	$120.0	$153.3	$0.0	$0.0	$0.0	$0.0	$0.0
Star Schools	$45.0	$50.8	$0.0	$45.0	$43.0	$197.5	$43.0
Teacher Training in Technology	$75.0	$75.0	$150.0	$85.0	$125.0	$85.0	$125.0
Community Based Technology Centers	$85.0	$10.0	$100.0	$32.5	$85.0	$32.5	$85.0
Technology Leadership Activities	$2.0	$2.0	$2.0	$2.0	$2.0	$2.0	$2.0
Next Generation Technology Innovation	NA	NA	$170.0	$0.0	$0.0	$0.0	$0.0
Middle School Teacher Training	$30.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0
Recognition and Reward	NA	NA	$50.0	$0.0	$0.0	$0.0	$0.0
Software Development Initiative	$5.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0
Title I (total)	$8,743.9	$8,547.9	$9,146.0	$8,817.0	$8,987.0	$8,817.0	$8,987.0
Basic Grants	*$6,140.0*	*$6,649.0*	*$5,683.1*	*$6,783.0*	*$7,113.4*	*$6,783.0*	*$7,113.0*
Concentration Grants	*$1,100.0*	*$1,158.4*	*$1,002.9*	*$1,158.4*	*$1,222.4*	*$1,158.0*	*$1,222.4*
Targeted Grants	*$756.0*	*$0.0*	*$1,671.5*	*$0.0*	*$0.0*	*$0.0*	*$0.0*
Strengthening Achvt. & Acct. Title I	*$200.0*	*$0.0*	*$0.0*	*$0.0*	*$0.0*	*$0.0*	*$0.0*
Comprehensive School Reforms	*$150.0*	*$160.0*	*$190.0*	*$190.0*	*$0.0*	*$190.0*	*$0.0*
Migrant Education	*$380.0*	*$354.7*	*$380.0*	*$354.7*	*$380.0*	*$354.7*	*$380.0*
Even Start	*$145.0*	*$150.0*	*$150.0*	*$250.0*	*$185.0*	*$250.0*	*$185.0*
Impact Aid Total	$736.0	$910.5	$770.0	$985.0	$1,030.0	$985.0	$1,076.0
Basic Payments	*$684.0*	*$737.2*	*$720.0*	*$780.0*	*$818.0*	*$780.0*	*$853.0*
Payments for Children w/ Disabilities	*$40.0*	*$50.0*	*$40.0*	*$50.0*	*$50.0*	*$50.0*	*$50.0*
Payments for Heavily Impacted School	*$0.0*	*$76.0*	*$0.0*	*$82.0*	*$82.0*	*$82.0*	*$82.0*
Facilities Maintenance	*$5.0*	*$5.0*	*$5.0*	*$8.0*	*$8.0*	*$8.0*	*$8.0*
Construction	*$7.0*	*$10.3*	*$5.0*	*$25.0*	*$25.0*	*$25.0*	*$25.0*
Payments for Federal Property	*$0.0*	*$32.0*	*$0.0*	*$40.0*	*$47.0*	*$40.0*	*$47.0*
Eisenhower Professional Develop. (State)	$335.0	$335.0	$0.0	$0.0	$435.0	$0.0	$435.0
Teaching to High Standards	NA	NA	$690.0	$0.0	$0.0	$0.0	$0.0
School Leadership Initiative	NA	NA	$40.0	$0.0	$0.0	$0.0	$0.0
Teacher Quality Initiatives: Hometown Tchr	NA	NA	$75.0	$0.0	$0.0	$0.0	$0.0
Teacher Quality Initiatives: Higher Stds/Pay	NA	NA	$50.0	$0.0	$0.0	$0.0	$0.0
Teacher Quality Incentives	NA	NA	$50.0	$0.0	$0.0	$0.0	$0.0
Transition to Teaching: Troops to Tchrs	NA	NA	$25.0	$0.0	$0.0	$0.0	$0.0
Early Childhood Educator: Educ Prof Dev	NA	NA	$30.0	$0.0	$0.0	$0.0	$0.0
Title VI	$0.0	$380.0	$0.0	$80.8	$515.0	$80.8	$515.0
Class Size Reduction	$1,400.0	$1,200.0	$1,750.0	$1,750.0	$0.0	$0.0	$0.0
Safe and Drug Free Schools	$591.0	$605.0	$650.0	$599.3	$642.0	$599.3	$447.0
Small, Safe, and Successful High Schools	NA	NA	$120.0	$0.0	$0.0	$0.0	$0.0
Magnet Schools	$114.0	$110.0	$110.0	$110.0	$110.0	$110.0	$110.0
Education for the Homeless	$31.7	$28.8	$31.7	$32.0	$31.7	$32.0	$31.7
Training and Advisory Services (CRA IV)	$7.3	$7.3	$7.3	$7.3	$7.3	$7.3	$7.3
Education for Native Hawiians	$20.0	$23.0	$23.0	$23.0	$28.0	$23.0	$28.0
Alaska Native Education Equity	$10.0	$13.0	$13.0	$13.0	$15.0	$13.0	$15.0
Charter Schools	$130.0	$145.0	$175.0	$13.0	$15.0	$175.0	$210.0
Options: Opps to Improve Nation's Schools	NA	NA	$20.0	$0.0	$0.0	$0.0	$0.0
Comprehensive Regional Assist. Centers	$32.0	$28.0	$0.0	$28.0	$28.0	$28.0	$28.0
Reading and Literacy Grants	$286.0	$260.0	$286.0	$260.0	$286.0	$260.0	$286.0
Indian Education (total)	$77.0	$77.0	$115.5	$107.8	$115.5	$107.8	$115.5
Grants to Local Education Agencies	*$62.0*	*$62.0*	*$92.8*	*$92.8*	*$92.8*	*$92.8*	*$92.8*
Special Programs for Indian Children	*$13.3*	*$8.3*	*$10.0*	*$3.3*	*$10.0*	*$3.3*	*$20.0*
Includes Amer. Indian Teacher Corp	*$10.0*	*$5.0*	*$10.0*	*$10.0*	*$10.0*	*$10.0*	*$10.0*
National Activities	*$1.7*	*$1.7*	*$2.7*	*$1.7*	*$2.7*	*$1.7*	*$2.7*
Bilingual Education	$259.0	$229.0	$296.0	$248.0	$279.0	$248.0	$279.0
Immigrant Education	$150.0	$150.0	$150.0	$150.0	$150.0	$150.0	$150.0

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FY01 Funding for Selected Department of Education Programs ($ in millions)								
Program	FY00 President's Budget Rqst	FY00 Conference Amount	FY01 President's Budget Rqust	FY01 H Subcmte 05-10-00	FY01 S Subcmte 05-10-00	FY01 House 06-14-00	FY01 Senate 06-30-00
Special Education (total)	$5,449.9	$6,036.6	$6,368.8	$6,550.2	$7,352.3	$6,550.2	$7,353.1
State Grants	*$4,314.0*	*$4,989.7*	*$5,279.7*	*$5,489.7*	*$6,279.7*	*$5,489.7*	*$6,279.7*
Special Education Primary Educ Intervent	*$50.0*	*$0.0*	*$0.0*	*$0.0*	*$0.0*	*$0.0*	*$0.0*
Preschool Grants	*$390.0*	*$390.0*	*$390.0*	*$390.0*	*$390.0*	*$390.0*	*$390.0*
Grants for Infants and Families	*$375.0*	*$375.0*	*$383.6*	*$375.0*	*$383.6*	*$375.0*	*$383.6*
Rehab. Serv. Grants for Indians	$23.4	$23.4	$24.0	$24.0	$24.0	$24.0	$24.0
Vocational Education (total)	$1,163.3	$1,192.8	$1,183.8	$1,228.1	$1,214.1	$1,228.1	$1,214.0
Indian and Hawiian Native Set-Aside	$15.5	$15.8	$12.9				
Tribally Controlled Postsec. Voc. Tech.	$4.1	$4.6	$4.6	$4.6	$5.6	$4.6	$5.6
Tech-prep	$111.0	$106.0	$306.0	$106.0	$106.0	$106.0	$106.0
Adult Education (total)	$575.0	$445.0	$555.5	$490.5	$490.5	$490.5	$490.5
Federal Pell Grants (program level)	$7,463.0	$7,700.0	$8,356.0	$8,356.0	$8,692.0	$8,356.0	$8,692.0
Pell Grants (maximum award)	$3,250.0	$3,300.0	$3,500.0	$3,500.0	$3,650.0	$3,500.0	$3,650.0
Supplemental Education Op. Grants (SEO	$631.0	$631.0	$691.0	$691.0	$691.0	$691.0	$691.0
Federal Work Study	$934.0	$934.0	$1,011.0	$1,011.0	$1,011.0	$1,011.0	$1,011.0
Perkins Loans Capital Contributions	$100.0	$100.0	$100.0	$100.0	$100.0	$100.0	$100.0
Leveraging Educ. Assts. Partnerships(SSI	$25.0	$40.0	$40.0	$0.0	$70.0	$0.0	$70.0
Title III HEA - Strengthening Institutions	$61.6	$60.3	$63.0	$73.0	$65.0	$73.0	$65.0
Strengthening Tribal Colleges & Univ.	$3.0	$6.0	$9.0	$12.0	$10.0	$12.0	$15.0
Strengthening AK Native/Native Hawaiia	$3.0	$5.0	$5.0	$5.0	$6.0	$5.0	$6.0
Strengthening HBCU	$148.8	$141.5	$169.0	$185.0	$169.0	$185.0	$169.0
Strengthening HBCU-Graduate Institutions	$32.0	$31.0	$40.0	$45.0	$40.0	$45.0	$40.0
Dual Degree Prog for Minority Serv Insts.	NA	NA	$40.0	$68.5	$62.5	$0.0	$0.0
Hispanic Serving Institutions	$42.3	$42.3	$62.5	$68.5	$62.5	$68.5	$62.5
Urban Community Service	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0
TRIO	$630.0	$645.0	$725.0	$760.0	$736.0	$760.0	$736.5
College Mentoring (GEAR-UP)	$240.0	$180.0	$325.0	$200.0	$225.0	$200.0	$225.0
Byrd Honor Scholarships	$39.9	$39.9	$41.0	$39.9	$41.0	$39.9	$41.0
Graduate Asst. in Areas of National Need	$41.0	$51.0	$31.0	$31.0	$33.0	$31.0	$33.0
Campus-based Child Care Center	$5.0	$5.0	$15.0	$15.0	$10.0	$15.0	$10.0
Learning Anytime Anywhere	$20.0	$17.9	$30.0	$10.0	$30.0	$10.0	$30.0
Preparing for College	$15.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0
College Completion Challenge Grants	$35.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0
D.C. Resident Student Support	$17.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.0
Research and Development	$198.3	$158.6	$198.6	$168.6	$168.6	$168.6	$178.6
Statistics	$77.5	$68.0	$84.0	$68.0	$68.0	$68.0	$68.0
Assessment	$44.5	$40.0	$42.5	$40.0	$40.0	$40.0	$40.0
Fund for the Improvement of Education	$139.5	$155.8	$137.2	$145.0	$142.2	$145.0	$142.2
Eisenhower Professional Devel. (National)	$30.0	$23.3	$0.0	$23.3	$23.3	$23.3	$23.3
21st Century Community Learning Centers	$400.0	$300.0	$1,000.0	$600.0	$600.0	$600.0	$600.0
Star Schools	$45.0	$50.8	$0.0	$45.0	$43.0	$45.0	$43.0
Total Education Department Only	$34,711.9	$35,033.9	$40,094.9	$37,190.3	$40,194.9	$37,190.3	$40,290.1
Head Start	$5,267.0	$5,267.0	$6,267.0	$5,867.0	$6,267.0	$5,667.0	$6,267.0
Libraries	$154.5	$166.0	$173.0	$170.0	$168.0		$168.00
Corporation for Public Broadcasting	$350.0	$350.0	$350.0	$350.0	$365.0	$365.0	$365.00
School Renovation	NA	NA	$1,300.0	$0.0	$0.0	$0.0	$0.00
Grants to Indian LEAs	NA	NA	$50.0	$0.0	$0.0	$0.0	$0.00
School Modernization & Qualified Zone Bonds	$146.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.00
Building Schools As Centers of Comm. Grants	$10.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.00
Troops to Teachers	$18.0	$0.0	$0.0	$0.0	$0.0	$0.0	$0.00

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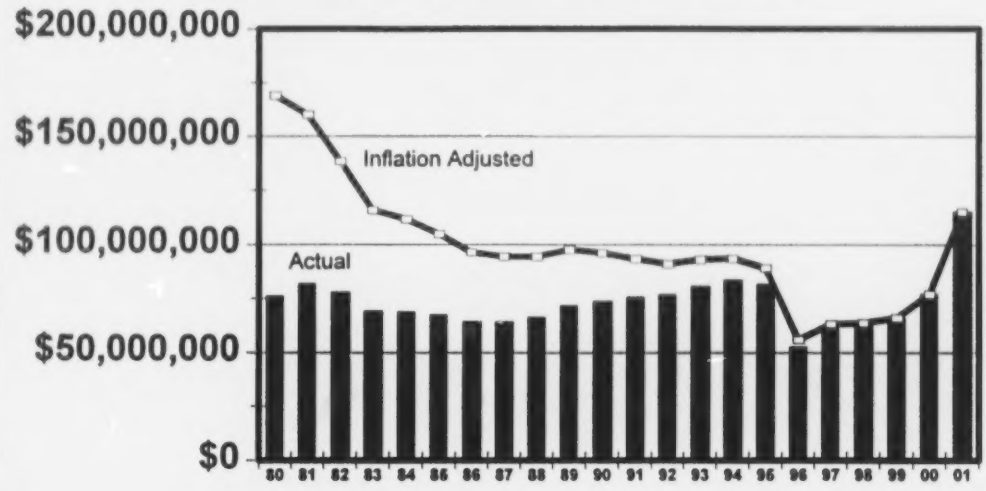
U.S. DEPARTMENT OF EDUCATION, OFFICE OF INDIAN EDUCATION
INDIAN EDUCATION FUNDING, Fiscal years 1994-2001 Request

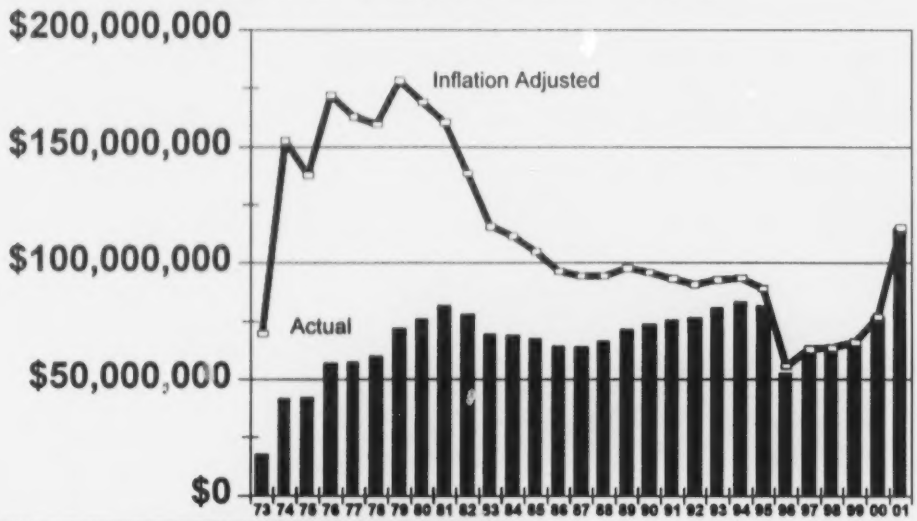
SUBPART 1 - GRANTS TO LOCAL EDUCATION AGENCIES	FY 94	FY 95	PRES REQ FY 96	ACT FY 96	FY 97	FY 98	FY 99	FY 00	Pres. Request FY 01
LEAs - Sec. 9112	**$52,589,000**	**$54,169,000**	**$54,993,000**	**$45,803,000**	**$53,178,000**	**$54,770,000**	**$56,820,000**	**$56,820,000**	**$85,015,000**
BIA CONTRACT SCHOOLS - Sec. 9112	**$2,173,000**	**$2,452,000**	**$2,490,000**	**$2,226,000**	**$2,584,000**	**$2,640,000**	**$3,010,000**	**$3,010,000**	**$4,504,000**
BIA OPERATED SCHOOLS - Sec. 9112	**$2,448,000**	**$3,065,000**	**$3,110,000**	**$1,971,000**	**$2,288,000**	**$2,340,000**	**$2,170,000**	**$2,170,000**	**$3,246,000**
INDIAN CONTROLLED SCHOOLS (Sbpt 1 in 94)	$3,087,000	$0	$0	$0	$0	$0	$0	$0	$0
SUBPART 1 SUBTOTAL	**$60,297,000**	**$59,686,000**	**$60,593,000**	**$50,000,000**	**$58,050,000**	**$59,750,000**	**$62,000,000**	**$62,000,000**	**$92,765,000**
SUBPART 2 - SPECIAL PROGRAMS FOR INDIAN CHILDREN									
EDUCATIONAL SERVICES FOR INDIAN CHILDREN - Sec. 9121	**$4,601,000**	**$3,983,000**	**$0**	**$0**	**$0**	**$0**	**$1,272,000**	**$1,260,000**	**$2,400,000**
PLANNING, PILOT, AND DEMONSTRATION	$1,174,000	$412,000	$0	$0	$0	$0	$0	$0	$0
INDIAN FELLOWSHIPS - Sec. 9123	**$1,735,000**	**$1,505,000**	**$1,000,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
EDUCATIONAL PROFESSIONAL DEVELOPMENT	$2,982,000	$850,000	$580,000	$0	$0	$0	$0	$0	$0
PROFESSIONAL DEVELOPMENT - Sec. 9122	**$0**	**$610,000**	**$5,929,000**	**$0**	**$0**	**$0**	**$1,970,000**	**$1,970,000**	**$2,600,000**
DEMONSTRATION GRANTS	$0	$1,734,000	$6,500,000	$0	$0	$0	$0	$0	$0
INDIAN TECHNICAL ASSISTANCE CENTERS	$3,815,000	$0	$0	$0	$0	$0	$0	$0	$0
GIFTED AND TALENTED PROGRAMS - Sec. 9124	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
INDIAN CONTROLLED SCHOOLS (Sbpt 2 in 95 on)	$0	$3,021,000	$0	$0	$0	$0	$0	$0	$0
GRANTS TO TRIBES FOR EDUC ADMIN/PLNG/DEV - Sec. 9125	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
AMERICAN INDIAN POSTSEC ECON DEVEL SCHOLARSHIPS	$0	$0	$0	$0	$0	$0	$0	$0	$0
AMERICAN INDIAN TEACHER TRAINING	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$10,000,000**	**$10,000,000**
AMERICAN INDIAN ADMINISTRATOR INITIATIVE	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$5,000,000**
SUBPART 2 SUBTOTAL	**$14,307,000**	**$12,115,000**	**$14,009,000**	**$0**	**$0**	**$0**	**$3,242,000**	**$13,230,000**	**$20,000,000**
SUBPART 3 - SPECIAL PROGRAMS FOR INDIAN ADULTS									
PROFESSIONAL DEVELOPMENT	$0	$0	$0	$0	$0	$0	$0	$0	$0
ADULT EDUCATION - Sec. 9131	**$4,861,000**	**$5,420,000**	**$5,431,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
SUBPART 3 SUBTOTAL	**$4,861,000**	**$5,420,000**	**$5,431,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
NATIONAL ACTIVITIES									
STATISTICS AND ASSESSMENT - Sec. 9141	**$200,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$735,000**	**$1,735,000**	**$2,735,000**
RESEARCH/EVAL/DATA COLLECTION/TECH ASST	$0	$125,000	$967,000	$0	$0	$0	$0	$0	$0
NATIONAL ACTIVITIES SUBTOTAL	**$200,000**	**$125,000**	**$967,000**	**$0**	**$0**	**$0**	**$735,000**	**$1,735,000**	**$2,735,000**
							OIE Federal Administration		
SUBART 4 - ADMINISTRATION							***Cost Covered by Gen. Admin.***		
OFFICE OF INDIAN EDUCATION	**$3,360,000**	**$3,775,000**	**$3,278,000**	**$2,377,000**	**$2,943,000**	**$2,600,000**	**($2,709,000)**	**($2,800,000)**	**($2,800,000)**
NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION - Sec. 9151	**$475,000**	**$471,000**	**$507,000**	**$120,000**	**$0**	**$50,000**	**($50,000)**	**($50,000)**	**($50,000)**
TRIBAL COLLEGE EXECUTIVE ORDER (new in 98)	**$0**	**$0**	**$0**	**$0**	**$0**	**$200,000**	**($200,000)**	**($200,000)**	**($200,000)**
SUBPART 4 SUBTOTAL	**$3,835,000**	**$4,246,000**	**$3,785,000**	**$2,497,000**	**$2,943,000**	**$2,850,000**	**($2,959,000)**	**($3,050,000)**	**($3,050,000)**
GRAND TOTAL	**$83,500,000**	**$81,592,000**	**$84,785,000**	**$52,497,000**	**$60,993,000**	**$62,600,000**	**$65,977,000**	**$76,965,000**	**$115,500,000**

OFFICE OF INDIAN EDUCATION FUNDING
1980-2001
Actual and Adjusted for Inflation



National Indian Education Association, Oct. 2000

OFFICE OF INDIAN EDUCATION FUNDING
1973-2001
Actual and Adjusted for Inflation



National Indian Education Association, Oct. 2000

BUREAU OF INDIAN AFFAIRS FUNDING
FISCAL YEARS 1999 - 2001 FINAL
Education Programs Only

BUREAU OF INDIAN AFFAIRS TRIBAL PRIORITY ALLOCATION	FY1999 Enacted	FY2000 Enacted	Feb 7, 2000 FY 2001 Pres. Request	*NIEA FY 01 Recommended*	June 16, 2000 FY2001 House	June 22, 2000 FY2001 Senate	P.L. 106-291 Oct. 11, 2000 FY2001 Final
Scholarships	$29,509,000	$28,456,000	$30,696,000	*$35,000,000*	$27,689,000	$27,828,000	$27,828,000
Adult Education	$2,633,000	$2,593,000	$2,460,000	*$5,000,000*	$2,390,000	$2,460,000	$2,460,000
TCCCs Supplement	$1,047,000	$1,076,000	$1,114,000	*$1,114,000*	$1,076,000	$1,114,000	$1,114,000
JOM	$18,080,000	$17,387,000	$17,035,000	*$24,000,000*	$16,869,000	$17,035,000	$17,035,000
Other-Educ Design	$1,406,000	$1,355,000	$1,357,000	*$1,357,000*	$1,338,000	$1,357,000	$1,357,000
TPA SUBTOTAL	**$52,675,000**	**$50,867,000**	**$52,662,000**	***$66,471,000***	**$49,362,000**	**$49,794,000**	**$49,794,000**
OTHER PROGRAMS-SCHOOL OPERATIONS							
ISEP (Formula)	$306,230,000	$316,502,000	$333,298,000	*$353,208,000*	$321,502,000	$326,798,000	$330,798,000
ISEP (Prog Adj)	$656,000	$663,000	$667,000	*$667,000*	$683,000	$667,000	$667,000
Early Childhood	$5,503,000	$5,586,000	$20,584,000	*$20,584,000*	$5,586,000	$5,634,000	$12,134,000
Student Transportation	$34,758,000	$36,099,000	$38,283,000	*$42,227,000*	$36,099,000	$36,297,000	$36,297,000
Institutional Disabled	$3,740,000	$3,747,000	$3,751,000	*$4,000,000*	$3,747,000	$3,751,000	$3,751,000
Facilities O&M	$75,222,000	$0	$55,601,000	*$90,000,000*	$54,003,000	$54,601,000	$54,601,000
[Facilities Operation Detail]	-	$54,091,000	$55,601,000	*$60,000,000*	*[$54,003,000]*	*[$54,601,000]*	*[$54,601,000]*
[Facilities Maintenance Detail]	-	$0	$0	*$30,000,000*	$0	$0	$0
Administrative Cost Grants	$42,160,000	$42,160,000	$46,300,000	*$50,000,000*	$42,160,000	$43,160,000	$43,160,000
Area/Agency T.S.	$7,117,000	$7,357,000	$7,387,000	*$8,000,000*	$7,247,000	$7,387,000	$7,367,000
Tribal Departments of Education	$0	$0	$0	*$3,000,000*	$0	$0	$0
Substance Abuse/Alcohol Educ[1]	$0	$398,000	$398,000	*$400,000*	$398,000	$398,000	$398,000
School Statistics-ADP	$700,000	$700,000	$700,000	*$700,000*	$700,000	$700,000	$700,000
Emergency Operations	$0	$0	$0	*$100,000*	$0	$0	$0
OTHER PROG SUBTOTAL	**$476,086,000**	**$467,303,000**	**$562,570,000**	***$572,886,000***	**$472,125,000**	**$479,393,000**	**$489,893,000**

BUREAU OF INDIAN AFFAIRS TRIBAL PRIORITY ALLOCATION	FY1999 Enacted	FY2000 Enacted	Feb 7, 2000 FY 2001 Pres. Request	*NIEA FY 01* *Recommended*	June 16, 2000 FY2001 House	June 22, 2000 FY2001 Senate	P.L. 106-291 Oct. 11, 2000 FY2001 Final
TRIBALLY CONTROLLED COMMUNITY COLLEGE							
Operating Grants	$30,220,000	$34,220,000	$37,111,000	*$40,000,000*	$35,220,000	$37,111,000	$37,111,000
Technical Assistance	$114,000	$114,000	$114,000	*$114,000*	$114,000	$114,000	$114,000
Endowment Grants	$977,000	$977,000	$977,000	*$977,000*	$977,000	$977,000	$977,000
TCCC SUBTOTAL	**$31,311,000**	**$35,311,000**	**$38,202,000**	***$41,091,000***	**$36,311,000**	**$38,202,000**	**$38,202,000**
SPECIAL PROGRAMS/POOLED OVERHEAD - ED							
Postsecondary Schools	$12,921,000	$13,967,000	$15,598,000	*$16,000,000*	$13,967,000	$14,267,000	$14,267,000
Special Higher Education	$1,337,000	$1,331,000	$1,331,000	*$5,000,000*	$1,331,000	$1,331,000	$1,331,000
EDUCATION SUBTOTAL	**$14,258,000**	**$15,298,000**	**$16,929,000**	***$21,000,000***	**$15,298,000**	**$15,598,000**	**$15,598,000**
EDUCATION CONSTRUCTION							
Replacement Sch Const	$17,400,000	$62,859,000	$126,149,000	*$126,149,000*	$49,859,000	$121,149,000	$141,549,000
Indian School Construction Bonding[2]	-	$0	$30,000,000	*$30,000,000*	$0	$0	$0
Employee Housing	$3,000,000	$2,507,000	$3,112,000	*$3,112,000*	$2,507,000	$3,112,000	$3,112,000
Facilities I&R	$40,000,000	$67,883,000	$171,238,000	*$171,238,000*	$67,833,000	$152,325,000	$148,325,000
ED CONST SUBTOTAL	**$60,400,000**	**$133,249,000**	**$330,499,000**	***$330,499,000***	**$120,199,000**	**$276,586,000**	**$292,986,000**
Institute of American Indian Art	$4,250,000	$2,125,000	$4,250,000	*$6 250,000*	$0	$4,125,000	$4,125,000
BIA GRAND TOTAL	**$638,980,000**	**$704,153,000**	**$1,005,112,000**	***$1,038,197,000***	***$693,295,000***	***$863,698,000***	***$890,598,000***

[1] **Funded under Human Services**

[2] **Proposed in President's FY2001 Budget**